

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2916 of 1996

TEXTILE ASSOCIATION (INDIA)

Versus

STATE OF GUJARAT

Appearance:

MR UDAYAN P VYAS for Petitioner

MR MUKESH PATEL AGP for Respondent No. 1, 2, 3

CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 11/08/1999

ORAL JUDGEMENT

1. This petition arises from orders passed under the provisions of the Urban Land (Ceiling & Regulation) Act, 1976.

2. It is common ground on both sides that the State of Gujarat adopted the Urban Land (Ceiling & Regulation) Repeal Act, 1999 on 30th March, 1999.

3. It is also common ground on both sides that by virtue of section 4 of the Repeal Act, all proceedings pending on the said date shall abate.

4. It is so found and accordingly held, and the present petition is disposed off accordingly.

5. Learned AGP states on instructions that the State of Gujarat will abide by the Circular issued by the State Government in the Revenue Department No. ULC/1099-602/V1 dated 15th April, 1999.

6. Rule is accordingly discharged with no order as to costs. Interim relief, if any, stands vacated.

7. It merely requires to be noted on the basis of the record of the petition, that the orders impugned in

the present petition are at Annexures E, F & G. They are respectively, the computation of excess vacant land under section 8, the order in appeal therefrom, and the consequential notification under section 10(3) of the Act of 1976. By virtue of the ad interim relief granted by this Court by order dated 17th April, 1996, status quo was directed to be maintained in respect of the subject matter of the petition. It therefore appears that the proceedings have remained at the stage of section 10(3) and that therefore, the petitioner is in possession of the lands in question. These are mere observations on the basis of the record of the present petition and are not to be regarded as findings of fact on any factual controversy between the parties.

(Y.B. BHATT, J.)

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